

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings of claims in the application:

Claim 1 (Currently Amended): A chiral nematic liquid crystal optical element, comprising:

a pair of substrates with transparent electrodes; and

a liquid crystal layer having a memory property interposed between the substrates;

a first resin layer which is provided on one of the transparent electrodes,

said first resin layer having a rubbed vertical alignment surface in contact with the liquid crystal layer;

a non-alignment layer of a second resin layer, a vertical alignment layer of a second resin layer or a horizontal alignment layer of a second resin layer which is provided between the liquid crystal layer and the other of the transparent electrodes;

wherein said liquid crystal layer exhibits a planar state and a focal conic state;

wherein the second resin layer has a surface hardness of B or less in a pencil hardness test.

Claim 2 (Original): The liquid crystal optical element according to Claim 1, wherein the first resin layer is provided only on the substrate on a side opposite to an observing side.

Claims 3-4 (Canceled):

Claim 5 (Currently Amended): A chiral nematic liquid crystal optical element, comprising:

a pair of substrates with transparent electrodes; and

a liquid crystal layer having a memory property interposed between the substrates;  
a metal-oxide layer provided on at least one of the transparent electrodes;  
a first resin layer which is provided on one of the transparent electrodes,  
said first resin layer having a rubbed vertical alignment surface in contact with the  
liquid crystal layer;

a non-alignment layer of a second resin layer, a vertical alignment layer of a second  
resin layer or a horizontal alignment layer of a second resin layer which is provided between  
the liquid crystal layer and the other of the transparent electrodes;

wherein said liquid crystal layer exhibits a planar state and a focal conic state;

wherein the second resin layer has a surface hardness of B or less in terms of a pencil  
hardness test.

Claim 6 (Original): The liquid crystal optical element according to Claim 5, wherein  
the paired transparent electrodes have a drive voltage of 20V or less applied thereacross.

Claims 7-10 (Canceled):

Claim 11 (Previously Presented) The liquid crystal optical element according to  
Claim 1, wherein said focal conic state produces a scattering of incident light.

Claim 12 (Previously Presented) The liquid crystal optical element according to  
Claim 1, wherein said planar state produces a selective reflection of incident light.

Claim 13 (Previously Presented) The liquid crystal optical element according to  
Claim 1, which is a color display.

Claim 14 (Currently Amended) The liquid crystal optical element according to Claim [[3]] 1, wherein said second resin layer comprises a polyimide which has been baked.

Claim 15 (Currently Amended) The liquid crystal optical element according to Claim [[3]] 1, further comprising

a first electrically insulating layer which is coated on at least one of the electrodes and a second electrically insulating layer which is coated on the other electrode; and

wherein said first and said second resin layer are coated on said electrically insulating layer.

Claim 16 (Currently Amended) The liquid crystal optical element according to Claim [[3]] 1, wherein said second resin layer is a non-alignment layer of a resin surface.

Claim 17 (Currently Amended) The liquid crystal optical element according to Claim [[3]] 1, wherein said second resin layer prevents image-sticking.

Claim 18 (Previously Presented) The liquid crystal optical element according to Claim 1, wherein the liquid crystal layer exhibits reflection characteristics as if the liquid crystal layer is a mirror.

Claim 19 (Currently Amended) The liquid crystal optical element according to Claim [[7]] 5, wherein said second resin layer comprises a polyimide which has been baked.

Claim 20 (Currently Amended) The liquid crystal optical element according to Claim [[7]] 5, further comprising

a first electrically insulating layer which is coated on at least one of the electrodes and a second electrically insulating layer which is coated on the other electrode; and wherein said first and said second resin layer are coated on said electrically insulating layer.

Claim 21 (Currently Amended) The liquid crystal optical element according to Claim [[7]] 5, wherein said second resin layer is a non-alignment layer of a resin surface.

Claim 22 (Currently Amended) The liquid crystal optical element according to Claim [[7]] 5, wherein said second resin layer prevents image-sticking.

Claim 23 (Previously Presented) The liquid crystal optical element according to Claim 5, wherein the liquid crystal layer exhibits reflection characteristics as if the liquid crystal layer is a mirror.

Claims 24-26 (Canceled)

Claim 27 (Previously Presented): The liquid crystal optical element according to Claim 1, wherein said rubbed vertical alignment surface does not twist the liquid crystal at 240°.

Claim 28 (Previously Presented): The liquid crystal optical element according to Claim 5, wherein said rubbed vertical alignment surface does not twist the liquid crystal at 240°.